

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 1, 2, 5 and 8 are currently being amended.

Claims 16 and 17 are currently being added.

This amendment and reply amends and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending and adding the claims as set forth above, claims 1-17 are now pending in this application.

Claim Rejections – Prior Art:

In the Office Action, claims 1, 2, 4, 5 and 8-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,848,396 to Gerace in view of U.S. Patent No. 5,974,210 to Goldhaber or in view of U.S. Patent Publication No. 2003/0159159 to Wilkman; claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerace in view of Wilkman or Gerace in view of Goldhaber in view of Wilkman; and claims 3, 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gerace in view of U.S. Patent Publication No. 2005/0192008 to Desai. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

Presently pending independent claim 1 now recites, among other things:

advertisement information input means for inputting advertisement information to be stored with the advertisements, the advertisement information including: a) at least one keyword corresponding to the advertisements that are input by an advertiser, b) a category for each of the advertisements, c) an advertisement title, and d) distribution conditions for distributing the advertisements.

With such information, advertisements of interest to a user can be determined from other advertisements that will not be of interest to the user. None of the cited art of record teaches or suggests the use of the four separate things that are input by an advertiser in order that advertisements of the advertiser are provided to particular user's who meet those requirements.

Accordingly, presently pending independent claim 1 is patentable over the cited art of record.

Presently pending independent claim 8 has been amended in a manner similar to the amendments made to claim 1, discussed above, whereby presently pending independent claim 8 is also patentable over the cited art of record.

With respect to independent claim 12, that claim recites, among other things:

advertisement copying means for enabling the user to copy one or more advertisements to the user schedule information, irrespective as to whether or not the advertisement valid time period has expired or will expire.

In its rejection of claim 12, the Office Action asserts that Figures 1, 6, 7 and 8 of Wilkman teach the above features of claim 12. Applicant respectfully disagrees. Namely, according to claim 12, a user can maintain an advertisement in his/her schedule even after that advertisement has expired. Wilkman shows a system for providing advertisements on a user's schedule, whereby there is no teaching or suggestion of a capability for a user to keep an advertisement on his/her schedule even after that advertisement has expired.

It is noted that page 8 of the Office Action asserts that "note that in Gerace and/or Wilkman that the advertisement may or may not have an indication of expiration." However, this is immaterial to the features recited in claim 12, since it is clearly of no concern to maintain an advertisement on a schedule when no expiration period is provided, but it is clearly of great concern to maintain an advertisement on the schedule if it's expiration period is provided and if the schedule date is after the expiration period. Since none of the cited art of record discusses such a situation, the comments made on page 8 of the Office Action are not pertinent to the teachings of the cited art of record.

Accordingly, independent claim 12 is patentable over the cited art of record.

New Claims:

New claims 16 and 17 have been added to recite additional features of the present invention that are believed to provide a separate basis of patentability for those claims, beyond the reasons given above for their base claim 1.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 26, 2007

By Phillip J. Articola

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Registration No. 38,072

Phillip J. Articola
Registration No. 38,819